



**United States District Court
Southern District Of New York**

Colleen McMahon
Chief Judge

Ruby J. Krajick
Clerk of Court

COURT NOTICE TO THE BAR

CONTACT:

June 15, 2017

ECF Help Desk: 212-805-0800

SDNY to Require Electronic Miscellaneous Civil Case Opening

Beginning June 26, 2017, attorneys commencing new miscellaneous civil actions in the United States District Court for the Southern District of New York will be required to file these actions using the Court's Electronic Case Filing (ECF) system. There is one exception to this rule: New miscellaneous civil actions that include an Order to Show Cause, Temporary Restraining Order, Stipulation and Order or documents sought to be filed under seal must be filed in person by delivering papers to the Clerk's Office.

This rule applies only to actions filed by counsel; new miscellaneous civil actions commenced by a *pro se* party must be filed in paper.

Any party unable to comply with the requirement for commencing a new miscellaneous civil action through the ECF system must seek permission of the Court to file in the traditional manner, on paper.

Further guidance may be found in the Court's Standing Order Regarding Miscellaneous Civil Case Opening (attached) and the electronic case opening training materials, available online at www.nysd.uscourts.gov/ecf.php.

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

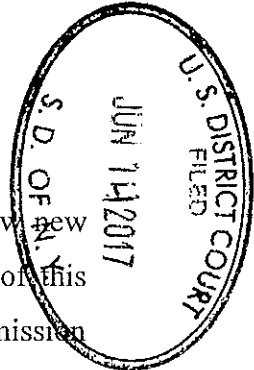
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IN RE:

MISCELLANEOUS CIVIL CASE
OPENING
-----X

STANDING
ORDER
M10-468

FILED
U.S. DISTRICT COURT
S.D. OF N.Y.
JUN 14 2017



The District Court's Electronic Case Filing (ECF) system having been modified to allow new miscellaneous civil actions to be filed electronically by attorneys admitted to the bar of this Court who are registered Filing Users of the CM/ECF system and attorneys seeking admission *pro hac vice*, unless otherwise ordered by the Court it is hereby

ORDERED, effective June 26, 2017, attorneys seeking to commence a miscellaneous civil action must do so electronically through the ECF system.

All documents required to open the action shall be filed electronically in PDF-A format. Any required fee shall be paid on-line with a credit card during the case opening process. Filing parties should consult the assigned judge's Individual Practices to determine if courtesy copies are required.

Pro hac vice applicants will receive a temporary ECF account enabling the electronic filing of the case initiating documents and a Motion for Admission *Pro Hac Vice*.

The following cases may not be commenced on-line through the ECF system and must be filed in the traditional manner, on paper:

- New miscellaneous civil actions that include an Order to Show Cause, Temporary Restraining Order, Stipulation and Order, or documents sought to be filed under seal;
- New miscellaneous civil actions commenced by a *pro se* party;

New miscellaneous civil actions filed electronically that contain the following deficiencies may be administratively closed without prejudice unless the deficiency is corrected within five (5) calendar days of electronic transmission by the Clerk of a Notice of Deficient Filing:

- The case initiating document contains the wrong document, an illegible or unreadable document, or no document; or
- The filing fee due was not paid, either in whole or in part.

Where a new miscellaneous civil action is administratively closed for a reason listed above and the party cures the deficiency within 60 days of the case closing, the party should seek to reopen the case by electronically filing a Notice of Application to Reopen Case through the ECF system. Such Notice shall describe the efforts to cure the deficiency and seek to reopen the case. The Clerk shall review such Notice and, if the deficiency is satisfactorily cured, reopen and assign or randomly assign the case. Applications to reopen such administratively closed cases filed after 60 days of closing must proceed by motion.

Any party unable to comply with the requirement for electronically commencing a miscellaneous civil action through the ECF system must seek permission of the Court to file in the traditional manner, on paper. Any such application made after regular business hours may be submitted through the night depository box maintained pursuant to Local Civil Rule 1.1.

Further guidance can be found in the Court's Electronic Case Filing Rules & Instructions available at <http://www.nysd.uscourts.gov/ecf>.

Dated: *14 June 2017*
New York, New York

SO ORDERED:

A handwritten signature in black ink, appearing to read 'Colleen McMahon', written over a horizontal line.

Colleen McMahon
Chief Judge